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EXAMINER

FOX, BRYAN J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/854,723

Applicant(s)

HEUBEL ET AL.

Examiner

Bryan J Fox

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

Claim 1 is objected to because of the following informalities: an unnecessary period is present in the beginning of line 9. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "the cradle" in a portable communications device. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 5-11 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. (US006377825B1) in view of Meidan et al. (US005509048A).

Regarding claim 1, Kennedy et al. discloses a hands-free wireless communication system with an interface module (see column 2, lines 30-32) between a wireless communication device and car (see column 1, lines 6-9) including a data port to receive data from the wireless device (see column 6, lines 27-34 and figure 3), which reads on the claimed "first data port that is adapted to be coupled to the data output port of the portable communications device, the first data port for receiving data from the portable communications device". Also, the interface may include an interface 348 for interconnecting the interface module 106 to various external subsystems 378 (see column 7, lines 60-62 and figure 3) and external subsystems 378 may include a screen for displaying textual information (see column 27, lines 47-50). Kennedy et al. fails to teach that the remote display device is a projection display device.

Meidan et al. discloses the use of a projection display in conjunction with a wireless device (see column 3, lines 36-41 and figure 8).

It would have been obvious to one skilled in the art at the time of the invention to modify Kennedy et al. with Meidan et al. to include the projection display in order to provide an easy to read display in a car.

Regarding claim 5, 6, and 7, the combination of Kennedy et al. and Meidan et al. discloses that the wireless device may be any communication device capable of wireless communication (see Kennedy et al. column 1, lines 5-9).

Regarding claim 8, the combination of Kennedy et al. and Meidan et al. discloses that the screen 278 is positioned at a windshield portion of the vehicle 199 (see Meidan et al. column 6, lines 15-16 and figures 2 and 8).

Regarding claim 9, the combination of Kennedy et al. and Meidan et al. discloses that the visual signal display 172 (see Meidan et al. figure 1) comprises a heads-up display in a vehicle (see Meidan et al. column 4, lines 58-59 and figures 2 and 8).

Regarding claim 10, Kennedy et al. discloses a hands-free wireless communication system in a vehicle including a data port to receive data from the wireless device (see column 6, lines 27-34 and figure 3), the wireless device having a connector 116 that provides data to the interface (see column 6, lines 27-30), which reads on the claimed "portable communications device having an externally accessible data output port". The interface includes a pocket 104 that holds the telephone 102 securely in place (see column 6, lines 30-31 and figure 1A), which reads on the claimed "cradle comprising a housing that is adapted to receive the portable communication device". The pocket also includes an electrical connector 124 that connects to the phone connector 116 described above (see column 6, lines 1-5), which reads on the claimed "interface for coupling the data output of the portable communications device to the housing", and also the interface may include an interface 348 for interconnecting the interface module 106 to various external subsystems 378 (see column 7, lines 60-62

and figure 3) and external subsystems 378 may include a screen for displaying textual information (see column 27, lines 47-50). The system disclosed by Kennedy et al. further includes a processor 348 for communicating with the external systems 378 as can be seen in figure 3. The processor converts telephone control and other signals between the proprietary interface of the communications device and the application programming device of the system, which reads on the claimed invention with a processor for receiving the communications data via the first interface and forwarding the received data to the remote projection display device via the second interface in a suitable format. The system disclosed by Kennedy et al. fails to teach the use of a projection display.

Meidan et al. discloses the use of a projection display in conjunction with a wireless device (see column 3, lines 36-41 and figure 8).

It would have been obvious to one skilled in the art at the time of the invention to modify Kennedy et al. with Meidan et al. to include the projection display in order to provide an easy to read display in a car.

Regarding claim 11, the combination of Kennedy et al. and Meidan et al. discloses that a wire 290 and may be used to connect to the projecting element 284 (see Meidan et al. column 6, lines 29-32 and figure 2).

Regarding claim 15, the combination of Kennedy et al. and Meidan et al. discloses the use of a serial bus (see Kennedy et al. column 9, lines 65-66), which reads on the claimed "first interface is a serial port connector and the second interface is a serial port connector".

Regarding claim 16, the combination of Kennedy et al. and Meidan et al. discloses a system where a pocket connects a telephone to an interface both mechanically and electrically (see Kennedy et al. column 5, line 63 – column 6, line 10 and figure 1A), which reads on the claimed “a connection between the first interface and the data output port of the portable communications device is achieved upon receipt of the portable communications device into the housing”.

Claims 2, 3, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. in view of Meidan et al. as applied to claims 1 and 10 above, and further in view of Klausner (US006489934B1).

Regarding claim 2, the combination of Kennedy et al. and Meidan et al. fails to teach the reformatting of the display.

Klausner discloses a cellular phone with a built in projector display with a display controller 5 that formats the received data to provide the properly formatted data to display driver 6 for subsequent display (see column 3, lines 35-59 and figure 2), which reads on the claimed data translator that “formats the data received from the portable communications device into the format from which the remote projection display device can provide the projected display”.

It would have been obvious to one skilled in the art at the time of the invention to modify the combination of Kennedy et al. and Meidan et al. with Klausner to include the above reformatting display in order to provide the user with a more readable display of data.

Regarding claim 3, the combination of Kennedy et al. and Meidan et al. fails to teach the use of a scrolling display.

Klausner teaches the use of a display where the user scrolls through pages (see column 1, lines 30-35). The scrolling device must include a means to control the scrolling as well.

It would have been obvious to one skilled in the art at the time of the invention to modify the combination of Kennedy et al. and Meidan et al. with Klausner to include the above scrolling display in order to provide the user with a way to view information that is too large for his display.

Regarding claim 13, the combination of Kennedy et al. and Meidan et al. fails to teach the reformatting of the display.

Klausner discloses a cellular phone with a built in projector display with a display controller 5 that formats the received data to provide the properly formatted data to display driver 6 for subsequent display (see column 3, lines 35-59 and figure 2), which reads on the claimed data translator that "formats the data received from the portable communications device into the format from which the remote projection display device can provide the projected display".

It would have been obvious to one skilled in the art at the time of the invention to modify the combination of Kennedy et al. and Meidan et al. with Klausner to include the above reformatting display in order to provide the user with a more readable display of data.



Regarding claim 14, the combination of Kennedy et al. and Meidan et al. fails to teach the use of a scrolling display.

Klausner teaches the use of a display where the user scrolls through pages (see column 1, lines 30-35). The scrolling display must include a means to control the scrolling as well.

It would have been obvious to one skilled in the art at the time of the invention to modify the combination of Kennedy et al. and Meidan et al. with Klausner to include the above scrolling display in order to provide the user with a way to view information that is too large for his display.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kennedy et al., Meidan et al. and Klausner as applied to claim 3 above, and further in view of Tsai (US006339700B1).

The combination of Kennedy et al., Meidan et al. and Klausner fails to teach the use of a steering wheel to control the functions of a phone.

Tsai teaches a telephone dialer mounted on a steering wheel (see column 2, lines 20-29).

It would have been obvious to one skilled in the art at the time of the invention to modify the combination of Kennedy et al., Meidan et al. and Klausner to include a control device on the steering wheel in order to allow a user to control a mobile phone without needing to turn his head during driving.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. in view of Meidan et al. as applied to claim 10 above, and further in view of Lebby et al. (US006115618A).

The combination of Kennedy et al. and Meidan et al. fails to disclose the use of a wireless link in the interface module.

Lebby et al. discloses a portable electronic device with removable display and a wireless communication port 29, as a means for communication of signals between the remote display and portable communications equipment (see column 3, lines 2-7).

It would have been obvious to one skilled in the art at the time of the invention to modify the combination of Kennedy et al. and Meidan et al. with Lebby et al. to include the above wireless link in order to eliminate the need to have another wire installed.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Erkkilä et al. (US006219560B1) discloses a modular mobile communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J Fox whose telephone number is (703) 305-8994. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone

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number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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